

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 451 OF 2022

ORDER:

This Criminal Petition under Section 438 Cr.P.C. is filed by the petitioners – Accused Nos. 4 and 5 seeking bail in the event of their arrest in connection with Crime No. 243 of 2021 on the file of N.T.P.C. Police Station, Peddapalli District registered for the offences punishable under Sections 498-A and 306 read with Section 34 IPC.

2. The case of the prosecution is that on 22.12.2021, the de facto complainant lodged a report alleging that he performed his daughter Sirisha's (deceased) marriage with Accused No.1 on 11.04.2018 and they were blessed with two sons. It is alleged that since last two years, his son-in-law and his parents and sisters harassed his daughter. It is also alleged that the petitioners once in a month used to visit the house of Accused No.1 and harass the deceased, due to which, on 25.09.2021, the deceased attempted suicide. Subsequently, unable to bear the harassment meted out to her by the accused, on 22.12.2021, at about 17.00 hours, the deceased committed suicide by hanging to the ceiling fan with chunni.

3. Learned counsel for the petitioners Sri G. Sundaresan submits that the petitioners are arrayed as Accused Nos. 4 and 5 and it is alleged that they committed the offences under Sections 498-A and 306 IPC. He submits that the petitioners are sisters of Accused No.1 and they are married and

staying at Bangalore and Mancherial. He further submits that the petitioners are nothing to do with the family affairs of the deceased and Accused No.1. It is submitted that in the report, omnibus allegations are made against the petitioners and even if all the allegations are taken on its face value, they do not attract the offences alleged against them. Learned counsel submits that Section 306 IPC. has no application to the petitioners and at best, Section 498-A IPC. may be attracted and in view of the same, the case of the petitioners may be considered for grant of pre-arrest bail.

4. On the other hand, learned Assistant Public Prosecutor submits that investigation is pending, hence, the petitioners are not entitled for grant of pre-arrest bail.

5. Taking into consideration the relationship between the parties and the fact that the petitioners are residing separately, this Court deems it appropriate to grant pre-arrest bail to the petitioners.

6. Accordingly, this Criminal Petition is allowed. Petitioners – Accused Nos. 4 and 5 shall surrender before the Station House Officer, N.T.P.C. Police Station in connection with Crime No. 243 of 2021 within one week from today and on such surrender and on each of them executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the said Station House Officer, they shall be released on bail. The petitioners shall however, appear before the police concerned on every Second

Saturday between 10.00 A.M. and 01.00 P.M. till investigation is completed. It is made clear that no further extension of time will be granted.

02nd February 2022

LALITHA KANNEGANTI, J

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